

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

HOWARD KORER,)	
)	
Plaintiff,)	
)	No. 08-cv-02837
v.)	
)	Judge Ruben Castillo
DANITA CORPORATION and UNITED)	
PARCEL SERVICES, INC.)	
)	
Defendant.)	
)	

MOTION FOR ENLARGEMENT OF TIME
TO FILE REPLY

NOW COMES the Plaintiff, HOWARD KORER, by and through his attorneys, David A. Novoselsky and James J. Ayres, and respectfully requests this honorable Court enlarge the time in which Plaintiff is to file his reply to August 12, 2008. In support thereof, movant states as follows:

1. On July 1, 2008, this honorable Court entered order providing, in pertinent part, that, "Defendants' response to Plaintiff's motion to remand and clarify the Court's Order of May 27, 2008 is due on or before 7/22/2008. Plaintiff's reply due on or before 8/5/2008. The Court will rule by mail." (Docket Doc. # 17).

2. Defendant United Parcel Services, Inc. filed its Response on July 21, 2008. Defendant Danita Corporation has not filed any responsive pleadings.

3. During the period in which Plaintiff was to file his Reply, Plaintiff's counsel's office had an attorney depart and a replacement attorney will not be on staff until August 15, 2008.

4. Moreover, one of Plaintiff's remaining attorneys had to travel out of state several times during the period of July 26, 2008 to August 3, 2008, to attend to a family member's medical

emergency, including exercising his healthcare power of attorney to authorize extraordinary life support measures.

5. On return to the state on Sunday, August 3, 2008, another member of Plaintiff's attorney's immediate family was taken to the emergency room for another medical emergency.

6. Plaintiff's counsel has tried unsuccessfully to reach opposing counsel to determine whether this motion would be opposed.

7. Because of the foregoing, Plaintiff's counsel is unable to properly prepare and file his Reply so that the Court will have a fully and adequately briefed Motion to consider and requests this honorable Court enlarge the time in which he is to file his Reply by seven days.

8. The enlargement of time of seven days for Plaintiff's counsel to prepare and file his Reply will not prejudice any party.

9. This motion is made in good faith and is not made with the intent to delay or hinder this Court's ruling on the Motion to Remand and Clarify.

WHEREFORE, Plaintiff respectfully requests this honorable Court enlarge the time for him to file his Reply to and including August 12, 2008.

Respectfully submitted,

/s/ James J. Ayres

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